



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 8**

**999 18<sup>TH</sup> STREET- SUITE 300**

**DENVER, CO 80202-2466**

**Phone 800-227-8917**

**<http://www.epa.gov/region08>**

**SDMS Document ID**



**2046779**

**JUN - 6 2005**

**Ref: 8EPR-SR**

**CERTIFIED MAIL**

**DEBORAH DAVIS  
1860 W 41ST AVE  
DENVER CO 80216**

**Dear DEBORAH:**

**Our records indicate that you are the owner of the following residential rental property(ies):**

**2736 E 44TH AVE**

**These residential properties are located within the Vasquez Blvd./Interstate 70 (VB/I-70) Superfund Site at which EPA is removing and replacing soils with elevated lead and/or arsenic. The purpose of this action is to reduce human health risks associated with these contaminants. From EPA's studies, it was found that each property must be sampled to determine if increased risk to human health exists at that property. If the soil sampling finds levels of lead and arsenic above our cleanup levels established for the VB/I-70 Superfund site, EPA will remove and replace the top 12 inches of soil on the property. After the cleanup has been completed, EPA will landscape with sod and/or mulches as agreed to by the homeowner. EPA is planning to complete soil cleanups this year.**

**Despite numerous attempts to obtain access to your property, EPA has not received your approval to sample your property(ies). Please sign and return the enclosed access form and include a phone number where you can be reached. When we receive this signed document, EPA will have your permission to sample your property, and if necessary, to conduct the soil cleanup. Please return the signed access form to:**

**USEPA**

**Victor Ketellapper (8EPR-SR)**

**999 18<sup>th</sup> St. Suite 300**

**Denver, CO 80027**

**After the results of the soil sampling have been received, EPA will share the sampling results with you. If the results find that a soil removal is needed, an EPA representative will contact you to prepare a restoration/landscaping plan prior to starting the cleanup work.**

Under EPA's *Policy Towards Owners of Residential Property at Superfund Sites*, dated July 3, 1991, EPA may exercise its discretion in not pursuing residential property owners for the cost of the clean up of their property when they have not caused or contributed to such contamination. As a result, EPA has cleaned up hundreds of residential properties at the VB/70 Superfund Site at no cost to the residential property owner. EPA has the ability to order a property owner to give it access and may enforce such an order in federal court. If EPA finds it necessary to issue an order to obtain access, the above mentioned Policy would not apply and the homeowner could be held liable for all costs relating to the cleanup, including the cost of cleanup, sampling costs and the costs incurred by EPA in obtaining access to the property.

Please contact Victor Ketellapper, Project Manager or myself if you have any questions regarding this letter. Victor's phone number is (303)312-6578. I can be reached at (303)312-6518.

Sincerely,



Karen Kellen  
Enforcement Attorney



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 8**

**Victor Ketellapper**

**Phone 800-227-8917**

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**CONSENT FOR ACCESS TO PROPERTY**

**Name: DEBORAH DAVIS (or current property owner)**

**Location of Property: 2736 E 44TH AVE**

I consent to officers, employees, and authorized representatives of the United States Environmental Protection Agency (EPA) entering and having continued access to the above referenced property for the purpose of taking samples of soil on the Site.

I realize that these actions are undertaken pursuant to EPA's response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund), 42 U.S.C. § 9601 *et seq.*

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



Printed on Recycled Paper

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

7001 0320 0005 8113 9129

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To

Street, Apt. No.,  
or PO Box No.

City, State, ZIP+4

PS Form 3811, January 2001

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

7001 0320 0005 8113 9129

Deborah Davis  
 1860 W. 41<sup>st</sup> Ave.  
 Denver, CO 80216

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**4b. Service Type**

- |   |                                    |
|---|------------------------------------|
| <input type="checkbox"/> Registered                     | <input type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail                   | <input type="checkbox"/> Insured   |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD       |

**7. Date of Delivery**

U

**5. Received By: (Print Name)**

**8. Addressee's Address (Only if requested and fee is paid)**

**6. Signature: (Addressee or Agent)**

X Unclaimed

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Thank you for using Return Receipt Service.